IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31708 of 2008
INDRABHAN PRASAD
Versus
STATE OF BIHAR
With
Cr.Misc. No.32176 of 2008
SUNIL KUMAR
Versus
STATE OF BIHAR
---

3. 21.10.2008. Heard both sides.

Petitioners are apprehending their arrest in a case under section 414 of I.P.C.

It is submitted by the learned counsel for the petitioners that the entire case is false and baseless. Petitioner Sunil Kumar is the owner of scrap goods shop, namely, Maa Durga Metal Works. He sold the copper wires etc. to one Madan Lal of Delhi. The same was being transported to Delhi from the truck belonging to the other petitioner, namely, Indrabhan Prasad. It is further submitted that the seized articles were not the stolen articles. In support of it, the Delivery Challan and Form D-X of Bihar Value Added Tax Rules,2005 showing payment of tax in respect of the seized articles have been filed.

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The learned counsel for the State after going through the case diary has also conceded that there is no material to show that the seized articles were stolen articles.

Having regard to the facts and circumstances, in case of arrest or surrender before the court below within six weeks of receipt of this order, petitioners, namely, Indrabhan Prasad and Sunil Kumar

are directed to be released on bail on their furnishing bond of Rs.10,000/- (ten thousand)each with two sureties of the like amount each to the satisfaction of A.C.J.M., Danapur in Rupaspur P.S. Case No.70 of 2008, subject to the condition as laid down under section 438(2) Cr.P.C.

(Ghanshyam Prasad)

N.H./

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